

Sixth Appellate District

San Jose, California

MONDAY, JUNE 18, 2007

H028782 PEOPLE v. JOHNSON

(Filed order modifying opinion.) This modification changes the judgment. The petition for rehearing is denied. (published) (Premo, J., Rushing, P.J., Elia, J.)
Filed June 18, 2007

The Court met in its courtroom at 333 West Santa Clara Street, Suite 1060, San Jose, California. Present: Bamattre-Manoukian, Acting P.J.; Mihara, J.; Duffy, J.; and Beth Miller, Deputy Clerk.

H031414 KAREN O. v. THE SUPERIOR COURT OF SANTA CLARA COUNTY; D.F.C.S.

Cause called and argued by Lyle W. Johnson appearing for Petitioner and by Susan Ware and Joanne Hue appearing for Respondent. Cause ordered submitted. The court is adjourned.

H028343 LINEAR TECHNOLOGY CORP. v. APPLIED MATERIALS, INC., et al.

The judgment is reversed, and the matter is remanded for further proceedings solely on the first, second, third, and fifth causes of action in Linear's fifth amended complaint. In the interests of justice, the parties shall bear their own costs on appeal. (published)
(Elia, J.; We concur: Premo, Acting P.J., Duffy, J.)
Filed June 18, 2007

TUESDAY, JUNE 19, 2007

H030447 YANG v. CITY OF SAN JOSE

The appeals of the traffic court and appellate division judgments are dismissed. The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed June 19, 2007

H030745 PEOPLE v. STANCIL

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Duffy, J.)
Filed June 19, 2007

Sixth Appellate District

San Jose, California

Tuesday, June 19, 2007 (continued)

H029402 GUTTIERRES-ROQUE, etc., et al. v. ANDRES, etc.

The request for publication of the opinion filed in the above entitled action by Gary A. Watt on May 29, 2007, is denied. The opinion does not establish a new rule of law, nor does it meet any of the other criteria set forth in California Rules of Court, rule 8.1105(c).

(Rushing, P.J.; We concur: Premo, J., Elia, J.)

Filed: June 19, 2007

WEDNESDAY, JUNE 20, 2007

H029191 WITT v. LANDIS

The order denying Witt's special motion to strike cross-complaint pursuant to the anti-SLAPP statute is affirmed. (not published)

(Duffy, J.; We concur: Mihara, Acting P.J., McAdams, J.)

Filed June 20, 2007

THURSDAY, JUNE 21, 2007

The following cases are submitted this date:

H031161 In re SOPHIA S.; SANTA CRUZ COUNTY HRA v. JOSHUA L.

H030821 PEOPLE v. DAVID M.

H030528 PEOPLE v. NGUYEN

The judgment is affirmed. (not published)

(Duffy, J.; We concur: Rushing, P.J., Mihara, J.)

Filed June 21, 2007

FRIDAY, JUNE 22, 2007

H030445 EULENBERG, et al. v. RODRIGUEZ, et al.

By the Court:

On the court's own motion, the submission order in the above-entitled matter dated May 29, 2007, is hereby vacated. The court by separate letter issued June 21, 2007, has requested supplemental briefing from the parties. The cause will be resubmitted upon completion of supplemental briefing.

Dated: June 22, 2007

Bamattre-Manoukian, Acting P.J.

H031414 KAREN O. v. SUPERIOR COURT OF SANTA CLARA; DFCS

The petition for an extraordinary writ is denied. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., Duffy, J.)

Filed June 22, 2007

Sixth Appellate District

San Jose, California

Friday, June 22, 2007 (continued)

H024508 PEOPLE v. CHI

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Elia, Acting P.J., Duffy, J.)
Filed June 22, 2007

H029725 PEOPLE v. HERNANDEZ

The matter is remanded to the trial court for a hearing on appellant's allegations concerning counsel's performance. If the court finds that appellant has presented a colorable claim of ineffective assistance of counsel, then the court must appoint new counsel to fully investigate and if appropriate present a motion for new trial based on ineffective assistance of counsel. If the court does not find a colorable claim of ineffective assistance of counsel, the court shall proceed to resentencing.
(not published)
(Elia, J.; We concur: Rushing, P.J., Premo, J.)
Filed June 22, 2007